

COMMITTEE ON GOVERNMENT REFORM
CONGRESSMAN TOM DAVIS, CHAIRMAN



NEWS RELEASE

For Immediate Release
December 1, 2003

Contact: David Marin
(202) 225-5074

Davis Probes US-VISIT Implementation
Chairman Requests Information in Letters to Ridge, Powell

Washington, D.C. – House Government Reform Committee Chairman Tom Davis (R-VA) wrote last week to Secretary of State Colin Powell and Homeland Security Secretary Tom Ridge seeking assurances about the upcoming implementation of the US-VISIT program.

As the January deadline for implementing the program at 115 airports and 14 seaports approaches, Davis sought information about coordination between the Department of State and Department of Homeland Security; potential adverse impacts on commerce and tourism; and the unprecedented task of collecting, storing and accurately accessing vast quantities of biometric records.

Copies of the two letters follow:

November 24, 2003

The Honorable Colin L. Powell
Secretary
U.S. Department of State
2201 C Street, N.W.
Washington, D.C. 20520

Dear Mr. Secretary:

The Department of Homeland Security's (DHS) US-VISIT program is an important component in the nation's continuing war on terror. The United States has long held its borders relatively open as an expression of our desire to allow travelers freedom of movement into and out of the country as legitimate business and personal needs may require. But these values must be balanced with security interests. This past July, I held a hearing on the balance between protecting homeland security and maintaining the flow of commerce in the issuance of visas for foreign visitors to the United States. The State

Department has taken action to increase security by implementing new interview requirements for visa applicants and will require machine-readable passports for all foreign visitors by October 2004. Because of the State Department's integral role in collecting biometric information and issuing visas, there is no doubt that if the DHS US-VISIT program is to succeed, the State Department must be an active partner.

As the deadline for the implementation of US-VISIT quickly approaches, I am concerned about coordination between the State Department and DHS in this program. A poorly designed system could clog consular operations, costing millions in commerce for the United States. Furthermore, an ineffective system could degrade border security. I have also become concerned that the task of collecting biometric data will create facility and personnel burdens for which our consulates are currently unprepared.

Accordingly, pursuant to Rules X and XI of the U.S. House of Representatives, please provide the following information to the Committee by December 8, 2003:

1. Provide the following information concerning the collection of biometric data in accordance with US-VISIT requirements:
 - a. A list of consulates currently collecting data and the types of data being collected;
 - i. A description of the procedure by which biometric data is collected;
 - ii. A description of the number and status of personnel required to perform the collection;
 - iii. A description of facility changes made to accommodate the data collection;
 - iv. Impact on waiting time and customer service;
 - v. A description of technical difficulties or other challenges experienced by consulates;
 - vi. Results of or plans for performance reviews of the biometric data collection procedures; and
 - vii. A description of public relations strategies used by the consulates to inform the public about biometric data collection requirements;
 - b. A timeline for when remaining consulates will collect biometric data;
 - c. An overview of personnel staffing changes made or planned to accommodate collection needs at consulates;
 - d. An overview of facility changes made or planned to accommodate collection needs at the consulates;
 - e. An explanation of management improvements (such as appointment systems) to accommodate current demand for visas once US-VISIT required data collection is fully implemented;
 - f. An overview of actions taken by the Bureau of Consular Affairs to provide lessons learned or other management suggestions to aid consulates in the preparation for biometric data collection;
 - g. An overview of identified limitations if demand for visas increases and how the Department intends to overcome those limitations;

- h. An overview of challenges identified by the State Department for consulates and consular officers in the implementation of US-VISIT; and
 - i. An explanation of challenges to consular personnel and facilities if biometric data collection standards change from the collection of two fingerprints to the collection of eight fingerprints or ten fingerprints.
- 2. Provide the following information pertaining to the development of the US-VISIT program:
 - a. A description of the current make-up of the State Department team working on US-VISIT planning and implementation;
 - b. A description of areas in the program for which the State Department has input, such as the technology to be used for collection, searching and matching;
 - c. A description of challenges pertaining to the US-VISIT program as identified by the State Department; and
 - d. Copies of all cables and directives issued to posts regarding the deployment of biometric data collection (including, but not limited to, cable number 253978, dated September 4, 2003).
- 3. Provide a status report on the integration of DHS personnel into the consular activities of Riyadh and Jeddah, Saudi Arabia.
- 4. Provide plans for educating and informing the traveling public about the purpose of the US-VISIT program and the uses of the collected data.

In answering these questions, please produce publications, memoranda, or other documents relating to the US-VISIT policies on these matters that you think would be helpful to the Committee's consideration.

Thank you for your timely attention to my request.

Sincerely,

Tom Davis
Chairman

November 24, 2003

The Honorable Tom Ridge
Secretary
U.S. Department of Homeland Security
Washington, D.C. 20528

Dear Mr. Secretary:

The Department of Homeland Security's (DHS) US-VISIT program will begin operating in 115 airports and 14 seaports in January 2004. This program is an important component in the nation's continuing war on terror. America has long held its borders relatively open as an expression of our desire to allow travelers freedom of movement into and out of the country as business and personal needs may require. It is clear that DHS desires to balance the ease in which the national border is crossed, with our new need to identify foreign visitors entering and leaving the country. In order to do this, DHS has launched what can be characterized as the largest information technology project ever. Full implementation of the US-VISIT program is expected to involve an extraordinarily costly and complex procurement process.

While the success of the US-VISIT program is vital to the nation's security, a poorly designed and executed program could clog airports, cost millions in business and tourism and, ultimately hurt border security. There are also concerns that the task of collecting, storing and accurately accessing biometric records in the quantity required is unprecedented. The GAO has also recently classified the US-VISIT program as a "very risky endeavor." The report detailed ten factors that led to this conclusion. These factors include the complex scope of the program, the ongoing problems with existing programs and the significant potential cost of the program, among others.

Accordingly, pursuant to Rules X and XI of the U.S. House of Representatives, please provide the following information to the Committee by December 8, 2003:

1. Provide a list of ports of entry in which the US-VISIT program will be implemented in January 2004. For any port of entry not implementing US-VISIT at that time, provide a timeline for when DHS expects each facility to begin participating in the US-VISIT program. Identify specifically:
 - a. When each airport will begin participating in the US-VISIT program for both entry and exit features;
 - b. When each seaport will begin participating in the US-VISIT program for both entry and exit features; and
 - c. When each land port of entry will begin participating in the US-VISIT program for both entry and exit features.
2. DHS has stated in public documents that entry and exit enhancements at land borders will be phased in throughout 2005 and 2006. Provide a description of what enhancements are planned at land borders, specifically explaining:
 - a. If these enhancements include new construction or renovation of existing land border facilities; and

- b. If these enhancements will substantially replace any single component of the US-VISIT program.
3. Provide a description of the current make up of the US-VISIT staff, including the legacy agencies for each staff member and which staff, if any, will be salaried in the US-VISIT program for FY2004.
4. Provide a summary of discussions with all port authorities across the country to include the following:
 - a. An estimate as to which port authorities are currently prepared to accommodate the US-VISIT program; and
 - b. Any plans articulating how the costs associated with the implementation of the program will be distributed among the interested parties.
5. It is my understanding that the initial iteration of the program will essentially be an integration of the IBIS and IDENT systems currently in use. Given the earlier problems with these programs, provide an explanation as to what steps are being taken to ensure that these systems have been improved so as to meet the needs of the new program.
6. The keystone of the US-VISIT program will be the collection and use of biometric information to verify the identity of any foreign national entering the United States. Provide a complete description of what biometric information will be collected and how DHS plans to adjust for using new biometric technologies in the future. Provide documents and plans which explain specifically:
 - a. Which type of biometric DHS will collect on January 1, 2004;
 - b. The rationale for choosing to procure a different biometric for future use;
 - c. Which type of biometric DHS expects to ultimately collect for long-term use in the US-VISIT program; and
 - d. Provide any study, document or plan that addresses the feasibility of merging varying biometrics into one unified US-VISIT repository.
7. Provide a copy of the procurement plan and all documents relating to the development of your upcoming RFP.
8. If federal, state, and local law enforcement personnel will have access to the biometric information collected from US-VISIT; provide the following information:

- a. A list of which federal, state, and local agencies will have access to the US-VISIT repository;
 - b. A description of the protocols for access to the US-VISIT repository for other federal agencies and state and local officials;
 - c. A description of the permitted uses of the US-VISIT repository;
 - d. A description of any anticipated private uses of the US-VISIT repository;
 - e. A description of any protocol for removing from the US-VISIT repository the biometric information for any person whose citizenship status changes; and
 - f. Any documents or plans developed by the DHS privacy officer relating to insuring the privacy of the US-VISIT repository.
9. Provide a summary of your plan for educating and informing the traveling public and business community about the purpose of the US-VISIT program and the uses of the collected data:
- a. Provide any media plans DHS has developed for this purpose;
 - b. Provide copies of any print media, radio or television public service announcements or paid advertisements, or billboard or poster material created for this purpose (in each language created); and
 - c. Provide a list of stakeholder groups engaged or consulted to help explain and ease the adjustment to the new border procedures.

In answering these questions, please produce publications, memoranda, or other documents relating to the US-VISIT policies on these matters that you think would be helpful to the Committee's consideration.

Thank you for your timely attention to this request.

Sincerely,

Tom Davis
Chairman

###